

EXHIBIT 248

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS,)
et al.,)
)
Plaintiffs,)
)
vs.) CASE NO. 4:20-cv-00957-SD
)
GOOGLE LLC,)
)
Defendant.)

30(b)(6) DEPOSITION OF
JEFF PICKETT
ON BEHALF OF THE STATE OF ALASKA
MAY 3, 2024

ORAL VIDEOTAPED DEPOSITION OF JEFF PICKETT, via
Zoom, produced as a witness at the instance of the
Defendant and duly sworn, was taken in the above-styled
and numbered cause on the 3rd day of May, 2024, from
12:15 p.m. to 3:03 p.m. Alaska Standard Time, before
Melinda Barre, Certified Shorthand Reporter in and for
the State of Texas, reported by computerized stenotype
machine, all parties appearing remotely via web
videoconference, pursuant to the rules of procedure and
the provisions stated on the record or attached hereto.

Job No. CS6655711

1 APPEARANCES
2 (ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

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ALSO PRESENT: Mark Cadena, Videographer
Dan Acosta, Document Technician

1 of Trade Act we need to be able to show that an entity
2 violated one of the sort of statutory provisions that
3 sort of define, you know, antitrust conduct.

4 Q. So what, if any, requirement for -- strike
5 that.

6 Does Alaska have a requirement for
7 specific injury to Alaskans before it will sign on to a
8 litigation like this?

9 A. I mean, it really is case dependent. If
10 conduct, you know, is unfair or deceptive or if it
11 violates our antitrust laws, we are authorized by our
12 legislature to bring a lawsuit.

13 Q. So there doesn't necessarily have to be -- oh,
14 I'm sorry. I didn't mean to interrupt.

15 A. Yes. That's what we look for, one of the
16 things we look for.

17 Q. So it doesn't -- strike that.

18 There doesn't necessarily have to be a
19 finding of potential harm to Alaskans prior to signing
20 on to a lawsuit like this on behalf of the State of
21 Alaska?

22 A. Well, I would say that like -- just to use a
23 hypothetical, if conduct in Florida violated our
24 Consumer Protection Act and it only impacted Floridians,
25 you know, yeah, we would not bring -- we would not file

1 not envisioning a specific document. You know, it's
2 perhaps something that escapes my imagination exists.

3 Q. Okay. So sitting here now, you don't have an
4 idea of a type of document or piece of information that
5 would bear on the harm alleged in the complaint that you
6 haven't handed over to us?

7 A. So, again, I mean, our focus for state -- our
8 claims that we're asserting on behalf of the State is on
9 Google's conduct. To the extent that Google has engaged
10 in an unfair deceptive trade practice or acted in a way
11 to maintain a monopoly or create one, you know,
12 liability is established. And then it's just a matter
13 of calculating penalties.

14 So to answer your specific question, it
15 has to be placed in the context of how we've developed
16 our case and how we think about it.

17 So, again, you know, it's -- I'm not in a
18 position to be able to answer one way or another whether
19 there actually are specific documents that may touch
20 upon harm that Alaskans have suffered, documents not in
21 the form of consumer complaint but may be in our
22 possession, custody and control. I just don't know the
23 answer.

24 Q. Okay. So Alaska alleges that Google's conduct
25 harmed Alaska's general welfare and economy. Is that

1 right?

2 A. Yes, that is correct.

3 Q. And what factual basis does Alaska have to show
4 that alleged harm to Alaska's general welfare and
5 economy?

6 A. So here this is one of the questions that we're
7 relying on Texas' designated 30(b)(6) deponent,
8 Mr. Gordon, to answer. So anything that has a factual
9 basis, we've designated Mr. Gordon for that, to provide
10 those answers.

11 Q. Okay. So Alaska is relying on Texas for the
12 harm to Alaska's general welfare and economy. Is that
13 right?

14 A. Yes, in this sense, in this sense. So Google's
15 conduct, its technology is sort of universal, I would
16 say, or that's my understanding, universal in the sense
17 that its products reach all 50 states, territories, you
18 know, obviously around the world as well. But, anyway,
19 with respect to this lawsuit, what concerns Alaska is
20 the fact that tech reaches into Alaska.

21 I think Mr. Gordon testified as to how
22 that tech is harmful to publishers and advertisers. So
23 for the reasons he provided, you know, that would be the
24 factual basis for Alaska's, you know, complaint as well
25 or for its allegation that our general economy has been

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REPORTER'S CERTIFICATE
ORAL DEPOSITION OF JEFF PICKETT
May 3, 2024

I, Melinda Barre, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, JEFF PICKETT, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the original deposition was delivered to
Claire Leonard.

That a copy of this certificate was served on all
parties and/or the witness shown herein
on May 6, 2024.

I further certify that pursuant to FRCP Rule

1 30(f)(1), that the signature of the deponent:

2 _____ was requested by the deponent or a party before
3 the completion of the deposition and that the signature is
4 to be before any notary public and returned within 30 days
5 from date of receipt of the transcript. If returned,
6 the attached Changes and Signature Page contains any
7 changes and the reasons therefor:

8 _____ was not requested by the deponent or a
9 party before the completion of the deposition.

10 I further certify that I am neither counsel for,
11 related to, nor employed by any of the parties or
12 attorneys in the action in which this proceeding was
13 taken, and further that I am not financially or
14 otherwise interested in the outcome of the action.

15 Certified to by me on this, the 6th day
16 of May, 2024.

17
18
19
20 <%19155,Signature%>

21 Melinda Barre

22 Texas CSR 2192

23 Expiration: 12/31/25
24
25